

Remarks

Claims 1-8, and 10-17 are pending, claims 9, and 18-20 having been previously canceled. Claim 8 has been canceled by this amendment.

Claims 1-8 and 10-17 were rejected by the Examiner. Note that claim 9 was canceled previously, so Applicants have adapted the rejections to apply to only the pending claims.

Claim 8 was rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. This claim has been canceled.

The Examiner states that new matter has been introduced that is not in the original specification disclosure. The text has been amended to remove the added phrase, and withdrawal of this rejection is requested.

Claims 1-8, and 10-17 were rejected under 35 USC 103(a) as being unpatentable by Kubinsky, "Emulation of Ad-Hoc Networks on IEEE 802-11," in view of Chrysanthakopoulos (US Patent No. 6,968,307).

Claim 1 requires that the device "store multiple emulators, wherein each emulator contains instructions to emulate a particular operating environment having a particular *operating system*;" and, "store a data file containing elements necessary to execute *an emulated operating system* operating on a first computer..." Claims 11 and 15 have similar requirements.

In the office action, it states that the 'It appears that applicants are reading the specification into the claims.' No further discussion is given as to why that is believed. As the claim requires that the emulator emulate an operating system, it is not clear how addressing interaction, or in these references, lack thereof, with an operating system is reading the specification into the claims.

Kubinsky discloses a method of emulating an ad-hoc network on the Berkeley network simulator (NS). The network simulator 'is a powerful tool for examining a wide variety of *network protocols including TCP, routing protocols....*In this case, it is possible to examine *new protocols* with real data by just injecting the data to the simulator, or no emulator. (emphasis added)." See page 19.

Kubinsky is not directed to emulating operating environments, where the operating environment has a particular operating system. Kubinsky is not directed to an environment where the operating system makes any difference, as it is directed to communications between computers on a network with regard to the network protocols, not the devices that use the network to communicate.

Chrys is directed to allowing a PC to emulate virtual devices that do not exist in the system, or that are busy, until the device becomes available. The devices use the IEEE-1394 bus protocol and its associated drivers to emulate other devices. There is no emulation of an operating system. In the comments, with regard to claim 9, the office action states that the emulation of other operating systems is 'inherent' because not all PCs use the same operating system.

First, the system disclosed in Chrys does not interact with the operating system. The IEEE-1394 bus protocols have the same external interface regardless of the operating system. This is what enables other devices that are 'talking' IEEE-1394 to interact without regard to the file formats. See Chrys, col. 6, lines 21-29. Indeed, when one PC wants to access a second PC, the second PC acts like the device. See col. 6, lines 57-59.

Second, there is no discussion of emulation of other operating systems. The only operating system mentioned at all is Windows®. To assume that Chrys is universal to all

operating systems is an impermissible extension of the disclosure of the prior art. The disclosure may easily be directed to devices that all use the same operating system, especially since the operating system is irrelevant to the operation of the disclosure of Chrys.

Third, the response to arguments states that the disclosure of a 'general purpose operating system' indicates that the emulations could occur in different operating systems. However, the term 'general purpose operating system' is not defined in Chrys. It is referenced in column 1, lines 40-42, but there is no definition that a 'general purpose operating' system would be an operating system that can run more than one operating system, such as Unix or Windows®. As there is no mention of multiple operating systems, it would seem that the term 'general purpose operating system' just means any operating system that is running on a computer. For example, Windows® is a 'general purpose operating system' in that it performs all of the tasks of the various devices that are operating under it.

Further, a general purpose operating system that is somehow compatible with several different operating systems is not the same as "store multiple emulators, wherein each emulator contains instructions to emulate a particular operating environment having a particular operating system..." as is required by the claims. Therefore, in either possible interpretation of the term 'general purpose operating system,' it does not address emulation of a particular operating system chose from several available.

In the response to arguments, the office action states that, "one cannot show nonobviousness by attacking references individually where the rejections are based upon combinations of references." The previous response explicitly stated that, "The combination of references does not teach emulation of an operating system."

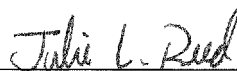
To be more explicit, Kubinsky and Chrys address emulation of *devices*, in one instance where there is a network through which the devices interact. Chrys addresses emulation of devices in an operating environment having a general purpose operating system, and Kubinsky teaches emulation of devices over a network. Therefore the combination of references teaches emulations of devices, not operating systems.

No new matter has been added by this amendment. Allowance of all pending claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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